

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICKEY JORDAN,

Plaintiff,

v.

STATE OF WASHINGTON, *et al.*,

Defendants.

CASE NO. C07-680-TSZ-MJB

REPORT AND RECOMMENDATION

On May 3, 2007, plaintiff Rickey Jordan presented to this Court for filing a civil rights complaint under 42 U.S.C. § 1983 together with an application to proceed with this action *in forma pauperis*. Plaintiff alleged in his complaint that he was unlawfully imprisoned by the Washington Juvenile Rehabilitation Administration (“JRA”) in 2004. He identified the State of Washington, the JRA, and the King County Courts as defendants in this action.

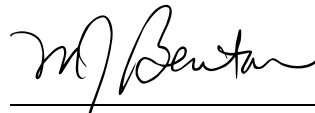
On June 21, 2007, plaintiff’s application for leave to proceed *in forma pauperis* was granted and his complaint was filed. (*See* Dkt. Nos. 5 and 6.) On the same date, this Court issued an Order declining to serve plaintiff’s complaint and granting him leave to amend. (Dkt. No. 7.) Plaintiff was advised therein that his complaint was defective because (1) the State of Washington and the Washington JRA could not be sued in an action brought under § 1983 action, (2) the King County Courts were not a proper defendant in this action, and (3) plaintiff failed to identify the federal

1 constitutional right he believed was violated by the conduct of defendant and the facts alleged by
2 plaintiff in his complaint did not suggest that plaintiff had suffered any harm of constitutional
3 dimension. (Dkt. No. 7 at 2-3.)

4 Plaintiff was granted thirty days within which to submit an amended complaint curing the
5 specified deficiencies, and was advised that his failure to timely submit an amended complaint would
6 result in recommendation that this matter be dismissed. To date, plaintiff has filed no amended
7 complaint.

8 When a complaint is frivolous, malicious, fails to state a claim on which relief may be
9 granted, or seeks monetary relief against a defendant who is immune from such relief, the Court may
10 dismiss an *in forma pauperis* complaint before service of process under 28 U.S.C. § 1915(e)(2)(B).
11 Because plaintiff's original complaint failed to identify any proper defendants or to allege a federal
12 constitutional violation, and because plaintiff failed to amend his complaint to correct these
13 deficiencies, this Court recommends that plaintiff's complaint, and this action, be dismissed without
14 prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B). A proposed order accompanies this Report and
15 Recommendation.

16 DATED this 21st day of November, 2007.

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19 MONICA J. BENTON
20 United States Magistrate Judge
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